

POLK COUNTY JUVENILE SERVICES COMPREHENSIVE PLAN

January 1, 2009 – December 31, 2011

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II. Community Team Section:

a. Polk County Substance Abuse Coalition or the “PSAC” group formed in November of 2007. The group meets on a monthly basis at the Osceola Fire Hall over the noon lunch hour. Region V and Four Corners Health Department along with the Sheriff’s office began the group. They invited the schools (Shelby, High Plains, Osceola, and Cross County), Polk county Commissioner, UNL Extension Educator, and the Polk County Health Department. The coalition continues to look at including other key partners such as the Chamber of Commerce, Village Boards, Churches, youth representatives and the newly formed Polk County Diversion for additional input. The current structure of the committee has become more formal with two Co- Chairpersons* and a Recording Secretary** Technical Assistance provide by Region V***.

The group has formulated a vision, a mission, some goals and objectives they wish to meet as follows:

Vision: A county free of substance abuse to improve the quality of life for all people

Mission: To reduce the misuse of alcohol, tobacco and other drugs through collaborative planning, community action and policy advocacy to improve the quality of life of Polk County residents

Goal: To reduce the misuse of alcohol, tobacco and other drugs among the residents of Polk County

Objective 1: To reduce by 10% the number of Polk County youth who report “ 30 day use” of alcohol

Goal: To connect with other advocacy efforts by engaging in outreach activities to develop an action plan to reduce the misuse of alcohol, tobacco and other drugs

Objective1: To have community involvement from all 12 community sectors represented on PSAC.

There are many strategies that the coalition will be undertaking in the next couple of months that relate to the two goals and objectives they have identified.

b. The team members are:

Name	Title	Address	Phone	E-mail Address
Arasmith, Cletus	Osceola Public School	565 S Kimmel; Osceola, NE 68651	(402)747-3121	carasmi@esu7.org
Boden, Coral	N/w File of Life	PO Box 452	(402)747-2060	
Colling, Ron	Polk County Attorney	PO Box 367; Osceola, NE 68651	(402)747-2060	cr84211@windstream.net
*Curry, Bill	Shelby Public School Principal	PO Box 218; Shelby, NE 68662	(402)527-5946	wcurry@esu7.org
Duey, Vicki	Four Corners Health Department	2101 N Lincoln Ave; York, NE 68467	(402)362-2621	vickid@fourcorners.ne.gov
***Effe, Derek	Region V Systems	1645 N St, Suite A; Lincoln, NE 68508	(402)441-4346	deffle@rpc.region5systems.net
**Gubanyi, Heidi	Four Corners Health Department	2101 N Lincoln Ave; York, NE 68467	(402)362-2621	heidig@fourcorners.ne.gov
Hendricks, Dennis	Polk County Commissioner	12378 D Rd; Polk, NE 68654	(402)764-8135	
Hudson, Cameron	High Plains Principal	150 Jefferson St; Aurora, NE 68818	(402)694-2928	chudson@esu7.org
*Ladwig, Dwaine	Polk County Sheriff	251 N Main St; Osceola, NE 68651	(402)747-2231	941@pcsheriff.com
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Marcia V. Scott	Polk Deputy County Attorney	PO Box 3674 Osceola, NE 68651	(402)747-2062	None available.
Nickel, Ron	Cross County School	2118 Rd H; Benedict, NE 68316	(402)732-6738	mickel@esu7.org
Peterson, Amy	UNL Extension Educator Polk Co	PO Box 215; Osceola, NE 68651	(402)747-2321	apeterson3@unl.edu
Peterson, Rene'e	Merrick, Nance, Polk Co Diversion Coordinator	PO Box 147; Central City, NE 68826	(308)946-3861	mcjuvdivoffice@yahoo.com

Reetz, Lola	N/W File of Life	1137 125 th Rd; Stromsburg, NE 68666	(402)764-2951	
Strecker, Dan	High Plains	345 South Pine; Polk, NE 68654	(402)765-3331	dstrecker@esu7.org
Teegerstrom, Marla	Osceola School Counselor	PO Box 236; Stromsburg, NE 68666	(402)764-8135	mteeger@esu7.org
Thompson, Sandy	Polk County News	PO Box 365; Stromsburg, NE 68666	(402)764-2036	polkcountynews@yahoo.com
Voss, Sandy	Shelby Public School Counselor	PO Box 218; Shelby, NE 68662	(402)527-5946	svoss@esu7.org

II. Juvenile Justice System Analysis Tool:

a. County level data

Data Points	Total Population	Juvenile Population (0-17)
Total Population	5,639* (2006 estimate 5,349)**	1,418* (2006 estimate 1,236)**
Female 49.6% 49.8%	2653** 2595*****	655* 570***** or 49.2%
Male 50.4% 50.2%	2696** 2613*****	763* 588***** or 50.8%
Children with single parents		155*
Working Moms w/ children (under age 6) 71.0%		71*
Children in poverty 7.0%		40*
Non-farm employment (2005)	1,026**	
White 97.4% 99.5%	5210** 5182*****	1148***** 99.1%
Black / African American .1% .1%	5** 5*****	3***** .3%
American Indian .3% .3%	16** 17*****	6***** .5%
Asian .1% .1%	5** 4*****	1***** .1%
Hispanic 1.8% 1.9%	96** 98*****	48***** 4.1%
Non-Hispanic 98.1%	5110*****	1110***** 95.9%
Two or more races .6%	32**	N/A
Juveniles Arrested		2* in 2005 4.7*** this is a 10 year avg.
Juveniles Reported in Juvenile Court System		Total of 32****
Juveniles Waived to Criminal Court		1****
Juveniles into Formal Probation		17****
Juvenile referred to other agency		5****
Juvenile Dismissed/ Warning		1****
Juvenile Dismissed/Unsubstantiated		4****
Juvenile Fined/Restitution		1****
Juvenile-Other/Unknown		3****
Juveniles Placed in Diversion		0 (no diversion program existed)
Teen Births (age 10-17)		8* in years 1995-2004 average is less than 1 per year

* Kids Count 2006 Report

** 2000 Census; numbers based on an estimated 2006 population

***1997-2006 Voices for Children in Nebraska research (Nebraska Crime Commission)

**** 2007 Query Results JCR Statistics from Nebraska Crime Commission

***** Puzzanchera, C., Sladky, A., and Kang, W. (2008) "Easy Access to Juvenile

Populations: 1990-2007." Online. <http://www.ojjdp.ncjrs.gov/ojstatbb/ezapop/>

b. Assessment of data

See attached Appendix A

III. Community Socio-Economics:

1. *Main transportation routes through out the county are the east west traversing US Highway 81 and State Highways 66 & 92. Traversing north and South are State Highways 39 and 69 as well as US Highway 81. The rest are county graveled & non-graveled roads.*
2. *The main economics for the county is farming. Most parents must travel long distances for non-farm related positions. Pioneer Hi-bred International along HWY 34 employs some Polk County residents.. Monsanto is building a facility at the intersections of Highways 34 and 69 in York County, NE. Tthis business is expected to employ residents of Polk County. Polk County's nearest metropolitan area is Lincoln, NE located 75 miles to the Southeast. Grand Island, NE is approximately 50 miles to the Southwest; Columbus, NE is located about 2 miles North of Polk County's Northeast corner. York, NE is located along Highway 81, approximately 10 miles South of the County line between Polk and York Counties.*
3. *Population as of the 2000 census was 5639. Number trends show an estimated, slight decline for the current population.*
4. *The Race/Ethnicity of the county is 97.4% white followed by .6% Hispanic, .3% American Indian, .1% Asian and .1% Black/African American.*
5. *The population of 0-17 year olds was 1,418 in 2000 again with an estimated decline in numbers.*
 - Special note: Shelby enrollment has seen a spike in numbers in the lower elementary. They added an additional 1st, 3rd, and 4th grades to their school.
6. Educational opportunities are primarily in four schools:
 - Osceola Public Schools, Osceola
 - High Plains Community Schools- Polk, Clarks & Hordville (coop with Merrick County)
 - Shelby Public Schools, Shelby

- Cross County Community Schools, 3 miles South of Stromsburg, (New school to house K-12 was completed fall of 2008 and is currently in operation.)

7. Historic and natural attractions:

- Man made Sand Pit Lake Cabins-providing youth with fishing, swimming and other water related activities.
- Platte River runs along the Northern border
- The Big Blue River runs through the Central and Southern part of the county.
- Swimming pools and parks
- County Roads and Fields: Kids go 4-wheeling and mudding on these.
- The areas along the rivers together with pastures, fields allow fishing, hunting, and trapping opportunities for youth.

IV. Identified Priority Areas:

1. Law enforcement officers, juveniles, parents, schools and judicial system needs informed of the existence of the juvenile diversion program to hold juveniles accountable for such issues as alcohol, drugs, driving infractions, permit violations, truancy etc. The numbers regarding juveniles held accountable was 32 in 2006 an approximate 2% of the juvenile population. The average percentage in the State of Nebraska is 3%

a. Teen use of alcohol, drugs and tobacco

According to Nebraska Risk and Protective Factor Student Survey Results in 2007

1. 75.9% of 12th graders in SE Nebraska had tried alcohol at least once
2. 25.6% had tried smoking cigarettes
3. 10.8% reported 12th graders had used marijuana within the last 30 days
4. 13% of 12th graders reported being drunk or high at school
5. 53.5% of 12th graders drank in a car, 86.3% in others homes & 53.2% in their own homes

b. Holding teens accountable for their actions

Polk County only shows 2% of the juvenile population being held accountable compared to the state at 3%. It is hoped that the Diversion program will help law officials to hold teens accountable without fear of jeopardizing their futures by having a “record”.

c. Lack of Parental Supervision after school and evening hours-

A large percentage of Polk County parents must commute to work making the working day longer and at a greater distance, there is less supervision of the youth.

d. Need for parental education- to change Philosophical Values-For example: "we used to do it"

According to Nebraska Risk and Protective Factor Student Survey Results, 2007.

1. 12th graders reported that 86.3% drank in others homes & 53.2% in their own homes
2. 20.4% of 8th graders, 27.6% of 10th graders and 53.5% of 12th graders had one or more adults present the last time they drank alcohol.

2. Polk County sometimes has need for out of home placement when a juvenile is "considered" an uncontrolled child. Such placement is not available through the Department of Social Services without out a showing that the juvenile is at risk of receiving some identifiable harm in the home. There is a need for a facility where a parent, guardian, or other custodian may place a juvenile for a short time. This will allow parents, guardians, custodians, and the juvenile time to assess the circumstances of each, with the goal of avoiding long-term services through the Department.

- e. Due to the rural placement of Polk County and the long distances from larger populated cities there is a lack of available resources.

V. Strategies:

1a. Educate teens about the dangers of alcohol, drugs and tobacco

- **Letters sent** to individual families from the **Sheriff of Polk County before key events, homecoming, prom, and graduation**, to inform them of the dangers of alcohol, tobacco, and drug use **starting spring 2009**.
- Parents will be encouraged to talk to their children and discourage them from partaking in any way with alcohol, tobacco, and drugs in these letters as well as through the Diversion Program, Schools, Community Organizations.
- **Schools and Diversion Program will have teens sign a pledge to stay alcohol, tobacco, and drug free each semester starting this Spring.**
- **Schools and Community will continue to bring motivational speakers into the schools or communities to discuss ways to stay alcohol, tobacco, and drug free.** It will be in the schedule for a speaker **at least once in the fall and once in the spring beginning spring 2009**. Follow up with “mini” discussion groups to review what the youth have learned and how they can apply it to their every day lives.

(Example: R5 Productions sent to each school by Youth for Christ out of Columbus every September).

1b. Hold Teens accountable for their actions.

- **Diversion Program will collaborate with community organizations and schools to make drug test kits available at any time through out the year for parents to request and administer beginning spring 2009.**
 - Included in the kits will be resource material for intervention, counseling, and education services that are available in the area
 - **County, schools, and or parents should refer students to Diversion or formally press charges to hold them accountable.**
- **Law Enforcement will collaborate with the school to do breathalyzers at key school events such as Homecoming, Prom, and Graduation beginning spring 2009.**
 - County and schools should review and/or have policies in place that give students consequences for not passing the breathalyzer or drug tests.
 - County, schools, and or parents should refer students to Diversion or formally press charges to hold them accountable.

1c. Deal with the lack of parental supervision.

- Community organizations such as the **PSAC group will encourage parents to create after school volunteer programs such as hobby clubs, tutoring or possibly start the Team Mates program in the Polk County communities. We are currently looking into a VISTA program who can help in this area.**
- **Parents should make use of programs and groups such as Big Brothers/ Big Sisters, Team Mates, Character Counts, Retired Teachers, community members, business people to create after school supervision and activities.**

1d. Educate Parents about the dangers of alcohol, tobacco, and drugs.

- **Polk County Sheriff will send letters to individual families before key events, homecoming, prom, and graduation to inform parents of the dangers of alcohol, tobacco, and drug use. The letters will encourage parents to talk to their children about these dangers and staying free of them.**
- **PSAC and Diversion will utilize Fall and Spring Parent Teacher Conferences to Educate Parents on their responsibility for teenage drinking, tobacco, and drugs starting Fall 2009.**
- **Diversion Office and County Extension in collaboration with the PSAC Group have and will continue to display simple but eye opening statistics about Polk County Teens usage of alcohol, tobacco, and drugs on popcorn bags at school sporting events.**
- **Diversion Program will have parents pledge and sign a promise card to host adult supervised, alcohol, tobacco, and drug free teen gatherings in their homes. The card will be displayed at front and back doors. Parents will promise to hold the youth accountable by calling law enforcement if the rules are broken.**

2a. Better, utilize the resources that are available and create access to resources not available within the communities.

- **PSAC & Diversion will publicize what resources are available.**
 - Put numbers of resources on magnetic paper to send home
 - Ask the local and out of town resources to host some kind of an annual event such as an indoor “Carnival” where kids would be entertained at simple game booths and parents would receive educational resource handouts.

- Utilize the National Honor Society Christmas Gift Basket Give Away or other similar programs to include Resource Materials.
- Parents and PSAC will make use of programs and groups such as Big Brothers/ Big Sisters, Team Mates, Character Counts, Retired Teachers, community members, business people to create after school supervision and activities.
- **Diversion Coordinator will act as liaison between parents, schools, and judicial system and will hire a part or full time person for this position to be located in a Polk County Community such as Osceola.**

Appendix A

Juvenile Justice System Analysis Tool:

a. County level data

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b. Assessment of data

JUVENILE JUSTICE SYSTEM ANALYSIS TOOL

(COMMUNITY PLANNING DECISION POINT ANALYSIS)

Decision Points:

1. Arrest/Citation (Police/Law Enforcement)

1. *Should youth remain in custody or be cited and released?*

1. <i>Should information report be filed with the county attorney or probation officer, offenses cited or an arrest made?</i>	
Formal Factors	Informal Factors
1. Probable cause to believe a crime was committed.	-Immediate risk to juvenile - Immediate risk to the public - Seriousness of perceived offense - Extent to which parent or other responsible adult is available to take responsibility for the juvenile.
2. Should the officer take temporary custody of the juvenile, See <i>Neb. Rev. Stat. §43-248</i> -Has juvenile violated a state law or municipal ordinance in the presence of the officer? - Has a felony been committed and the officer has reasonable grounds to believe that the juvenile committed it? -The juvenile is seriously endangered in his or her surroundings and immediate removal appears to be necessary for the juvenile's protection. -The officer believes that the juvenile is mentally and dangerous as defined by §71-908 and that the harm described in said section is likely to occur before proceedings may be	

<p>instituted before the juvenile court.</p> <p>-There are reasonable grounds to believe that the juvenile has run away from his or her parent, guardian or custodian.</p>	
Polk County's Experience.	
<p>Specific problems/challenges in Polk County, that were identified and that may need a solution.</p>	<p>There was no diversion program available in Polk County before 2008. Official response to juvenile bad conduct may not have occurred because the law enforcement did not want to involve the Courts. Had a diversion program been available, law enforcement may have involved itself more in citing juveniles for misconduct. Therefore conduct went uncorrected.</p>
<p>Solutions for problems or challenges identified.</p>	<p>Inform law enforcement officers of the existence of the juvenile diversion program. Juveniles that might otherwise not have received a citation to appear in court for an offense will have the benefit received from successfully completing the diversion program.</p>
<p><i>2. Should the youth be treated as a juvenile or an adult? Should the juvenile be detained or released?</i></p>	
Formal Factors	Informal Factors
<p>1.The officer who takes a juvenile into temporary custody is required to follow <i>Neb. Rev. Stat. §43-250</i>.</p> <p>-Take reasonable measures to notify the juvenile's parent, guardian or custodian.</p> <p>-The peace officer shall release such juvenile, or</p> <p>-The officer shall prepare a notice in triplicate requiring the juvenile to appear before a juvenile or county court in the county where the juvenile was taken into custody, at a time and place specified by the notice or at the call of the court. (A uniform citation may be used for this purpose.) The notice shall specify the reasons why the juvenile was taken into custody. The peace officer shall deliver one copy of the notice to the juvenile and require such juvenile or his or her parent, guardians, other custodian or relative or both to sign a written promise that such signer will appear at the time and place designated in the notice. The officer shall then release the juvenile, and file the notice with county attorney.</p> <p>Or</p> <p>-The officer, while he has the juvenile in</p>	<p>The officer who detains a juvenile must form an opinion, based on the facts, as to which steps he must follow under <i>Neb. Rev. Stat. §43-250</i>.</p>

<p>custody shall communicate all relevant available information to the probation officer, and shall deliver the juvenile to the probation officer. The probation officer shall determine the need for detention of the juvenile according to <i>Neb. Rev. Stat. §43-260.01</i>.</p>	
<p>Initial Detention.</p>	
<p>Facilities available for detention:</p> <ol style="list-style-type: none"> 1. <u>Locked Facility</u>. Lancaster County Juvenile Detention facility, Lincoln, Nebraska is available upon direction of the probation officer, and/or Court Order. Polk County has a contract with the Lancaster County Juvenile Facility to accept juveniles detained from Polk County at a guaranteed per diem rate. 2. <u>Locked Facility</u>. Madison County Juvenile Detention facility upon direction of the probation officer, and/or Court Order. Polk County does not have a contract with Madison County, and must pay whatever Madison County charges for holding a juvenile. 3. <u>Neglect and Abuse cases</u>. The officer places a child removed from his or her home with the Department of Social Services. The Department of Social Services must have a Court Order granting it temporary legal custody of a detained juvenile within 48 hours of initial detention. The department arranges the appropriate placement. 4. <u>Mental Health Cases</u>. The officer places a juvenile detained for mental health purposes with the Department of Social Services. The Department of Social Services must have a Court Order granting it temporary legal custody of a detained juvenile within 48 hours of initial detention. The Department arranges appropriate placement including mental health services, and medical care made necessary by the juvenile's condition. 	

Polk County's Experience	
Specific problems/challenges identified that need addressed.	Polk County sometimes has need for out of home placement when a juvenile is "considered" an uncontrolled child. Such placement is not available through the Department of Social Services without out a showing that the juvenile is at risk of receiving some identifiable harm in the home. There is a need for a facility where a parent, guardian, or other custodian may place a juvenile for a short time. This will allow parents, guardians and custodians and the juvenile time to assess the circumstances of each, with the goal of avoiding long-term services through the Department.

3. Charge Juvenile (County Attorney) 1. *Should the juvenile be prosecuted?* 2. *Should the juvenile be prosecuted as a juvenile or as an adult?* 3. *What Offense(s) should be charged to the juvenile?*

Formal Factors

1. Criteria under NRS § 43-276
2. Criteria under NRS § 43-276
3. Evidence presented in Law Enforcement Report.

Informal Factors

New to Polk County is the option of a Diversion. Diversion will be considered by the County and Deputy Attorney of Polk County and determined using set criteria, case by case.

Data for Polk County

Specific problems/challenges identified that should be addressed: Because Diversion is a new concept to the Polk County Program, educational effort needs to be made to help all departments understand what the program is and how it can best be utilized.

Solutions for problems or challenges identified

Inform juveniles, parents, law enforcement, attorneys, judges regarding the diversion program. Polk County should explore the possibility of having a Diversion Officer located in Polk County at least part time, rather than a minimum limited basis.

4. Pre-Adjudication Detention (Juvenile Court Judge) 1. *If a juvenile was detained at the time of citation/arrest, should the detention continue in or out-of-home placement pending adjudication?*

See above

5. Probable Cause Hearing (Juvenile Court Judge) 1. *Does the State show that probable cause exists that juvenile is within the jurisdiction of the court?*

Formal Factors
Statute requirement

Informal Factors

Data for Polk County –

After a law enforcement officer detains a juvenile in an out of home placement, the County Court schedules a hearing for the next available court date to determine the need for continued out of home placement. At that hearing the Court considers facts supplied by law enforcement, and the Department of Health and Human Services.

Specific problems/challenges identified that should be addressed:
None.

Solutions for problems or challenges identified

6. Competency Evaluation (Juvenile Court Judge) 1. *Is the juvenile competent to participate in the proceedings?* 2. *Is the juvenile “responsible” for his/her acts?*

Formal Factors
1. Psychiatric Evaluation
2. Psychiatric Evaluation/Recommendations

Informal Factors

Data for Polk County: Never used but would use Lincoln General or HHS Hired Psychiatrist to do an evaluation if necessary.

Specific problems/challenges identified that should be addressed:
None known

Solutions for problems or challenges identified

Adjudication on an alleged criminal matter. (Juvenile Court Judge) 1. *Is the juvenile, beyond a reasonable doubt, “a person described by §43-247(1) or (2)?”*

2. *Should the probation officer be ordered to conduct a pre-disposition investigation (PDI)?*
3. *Should an OJS evaluation be ordered?*
4. *Should both a PDI and an OJS evaluation be ordered?*

Formal Factors

Informal Factors

1. Legal sufficiency of evidence

*

Presented during adjudication hearing

- Whether juvenile admits the Allegations of the petition
- Residency
- Age

2. If necessary or ordered

3. NRS § 29-2204 (3) – Sentencing alternatives for juvenile who committed age while under the age of 18.

Data for Polk County

Specific problems/challenges identified that should be addressed:

none known

Solutions for problems or challenges identified

7. Disposition (Juvenile Court Judge) 1. *Should juvenile be placed on probation?* 2. *Should juvenile be committed to the Office of Juvenile Services (OJS)?* 3. *Should juvenile be placed on probation and /or commit juvenile to HHS or OJS*

Formal Factors

Informal Factors

Evidence presented

Statutes

Recommendations of Experts

Data for Polk County

Disposition for a juvenile adjudicated on facts that would constitute a crime is left to the Judge. The Judge usually orders probation as a disposition.

Specific problems/challenges identified that should be addressed:

None known

Solutions for problems or challenges identified

8. Administrative Sanctions (Probation) 1. *Whether to impose administrative sanctions*

Formal Factors

Informal Factors

Assessments

Problem still existing or worsening

Increase of punishment or

Report to attorney/judge to determine if probation should be revoked

Data for Polk County

Administrative Sanctions are purely a probation function.

Specific problems/challenges identified that should be addressed:

None known.

Solutions for problems or challenges identified

9. Motion to Revoke Probation (County Attorney)

1. *Whether to file a motion to revoke probation*

Formal Factors	Informal Factors
Recommendation of Probation officer based on performance of juvenile on probation.	Whether or not the juvenile has committed other offenses, in Polk County or other Counties

	<p>What complaints charging crimes, or what petitions alleging criminal acts are pending in Polk County or in any other County</p> <p>Whether or not any benefit will result to the juvenile or to society by proceeding with a revocation. If there is no benefit, the county attorney and probation officer might consider discharging the juvenile from probation unsatisfactorily.</p>
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Data for Polk County

Specific problems/challenges identified that should be addressed:
None known.

Solutions for problems or challenges identified

10. Modification/Revocation of Probation (Juvenile Court Judge) *1. Whether to modify or revoke probation*

<p>Formal Factors</p> <p>Evidence presented</p> <p>Recommendation of probation officer.</p> <p>What benefit will occur by adding additional duties to a probationer?</p> <p>Does the probationer deserve an early discharge for a job well done?</p>	<p>Informal Factors</p>
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Data for Polk County

Specific problems/challenges identified that should be addressed:
None known.

Solutions for problems or challenges identified

11. Setting Aside Adjudication (Juvenile Court Judge) *1. Whether juvenile has satisfactorily completed his or her probation and supervision or the treatment program of his or her commitment, 2. Whether juvenile should be discharged from custody and supervision of OJS*

Formal Factors

1. Criteria set forth by the probation officer
Has or has not been met by juvenile.
2. Evidence criteria has been met or
Time limits set have elapsed

Informal Factors

Data for Polk County

Specific problems/challenges identified that should be addressed:

None known.

Solutions for problems or challenges identified